



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MUELLER, Rainer *et al.*
Serial No: 09/911,132
Filed: July 23, 2001
For: EXPRESSION OF ALKALINE PHOSPHATASE IN YEAST
Art Unit: 1636
Examiner: Maria B. Marvich, Ph.D.

RESPONSE UNDER 37 CFR §1.116

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450


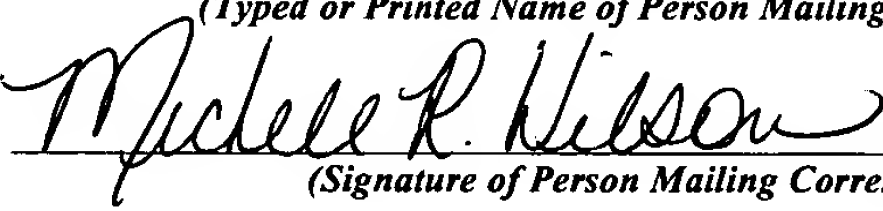
September 22, 2004


Dear Sir:

This reply is in response to the Final Rejection dated August 9, 2004 which has a shortened statutory period for response of three months that expires on November 9, 2004. This amendment and response are being submitted prior to the 2-month deadline with the request that they please be considered by the Examiner.

09-23-04

AF JFW

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): MUELLER, Rainer et al.			Docket No. RDID0073US
Serial No. 09/911,132	Filing Date July 23, 2001	Examiner Maria B. Marvich, Ph.D.	Group Art Unit 1636
Invention: EXPRESSION OF ALKALINE PHOSPHATASE IN YEAST			
<div></div> <p>I hereby certify that the following correspondence:</p> <div><p>Response Under 37 CFR Section 1.111</p><p><i>(Identify type of correspondence)</i></p></div> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p><u>September 22, 2004</u> <i>(Date)</i></p> <div><p>Michele Wilson <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p> <i>(Signature of Person Mailing Correspondence)</i></p><p>EV421106161 <i>("Express Mail" Mailing Label Number)</i></p></div>			
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AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. RDID0073US	
Applicant(s): MUELLER, Rainer et al.					
Application No. 09/911,132	Filing Date July 23, 2001	Examiner Maria B. Marvich, Ph.D.	Customer No.	Group Art Unit 1636	Confirmation No.
Invention: EXPRESSSION OF ALKALINE PHOSPHATASE IN YEAST					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	7 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	4 -	8 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<div style="margin-top: 10px;"><input type="checkbox"/> No additional fee is required for amendment.</div> <div style="margin-top: 5px;"><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</div> <div style="margin-top: 5px;"><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</div> <div style="margin-top: 5px;"><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 02-2958</div> <div style="margin-left: 20px; margin-top: 5px;"><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</div> <div style="margin-left: 20px; margin-top: 5px;"><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div> <div style="margin-top: 5px;"><input type="checkbox"/> Payment by credit card. Form PTO-2038.</div> <div style="margin-top: 10px;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</div>					
<div style="text-align: center; margin-bottom: 10px;"> _____ <i>Signature</i></div> <div>Marilyn Amick, Reg. No. 30,444 Customer No. 23690</div>			<div style="margin-top: 20px;">Dated: 9/22/04</div>		
<div style="margin-top: 10px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ <div style="text-align: center; margin-left: 100px;">(Date)</div></div> <div style="margin-top: 10px; text-align: center;">_____ <i>Signature of Person Mailing Correspondence</i></div> <div style="margin-top: 10px; text-align: center;">_____ <i>Typed or Printed Name of Person Mailing Correspondence</i></div>					
CC:					